

## **FACT SHEET**

### **BNSF HABITAT CONSERVATION PLAN for GRIZZLY BEARS**

#### **PROJECT STATEMENT**

The Burlington Northern and Santa Fe Railway Company (BNSF), in consultation with the U.S. Fish and Wildlife Service (USFWS), proposes to prepare an application for an Incidental Take Permit (ITP), pursuant to Section 10 for the Endangered Species Act, to request authorization for the incidental take of grizzly bears that may result from the operation and maintenance of the railroad within the Middle Fork Flathead River corridor between Hungry Horse and Browning Montana. The ITP application will include a draft Habitat Conservation Plan (HCP), draft Implementation Agreement and a draft Environmental Assessment (EA). The HCP and EA will clarify the activities associated with the operation and maintenance of the railroad which may affect grizzly bears; evaluate other factors that contribute to human caused mortality of grizzly bears in the Middle Fork Flathead River corridor; evaluate alternative strategies to minimize the effects of railroad operations on grizzly bears; and, develop an adaptive management framework for grizzly bear conservation in the corridor.

In 1991, BNSF entered into an agreement with the state and federal agencies who have relevant jurisdiction in the Middle Fork Flathead River Corridor to form the Great Northern Environmental Stewardship Area (GNESA). GNESA fosters a positive working relationship among industry, government and conservation interests. The cooperators recognize that the Middle Fork Flathead River corridor is an area with unique natural values. They also recognize that commerce has an important place in the area. Accordingly, they seek to promote proper stewardship so that these two aspects are compatible. In addition to BNSF, the GNESA cooperators include the Flathead National Forest; Lewis and Clark National Forest; Glacier National Park; U.S. Fish and Wildlife Service; Blackfeet Indian Nation; Montana Fish, Wildlife and Parks; Montana Department of Natural Resources and Conservation; Montana Department of Transportation; Flathead County; Glacier County; the Great Bear Foundation; the Flathead Land Trust; The Nature Conservancy; and, two citizen members.

In cooperation with GNESA, BNSF has implemented an operating protocol that includes several railroad operation and maintenance procedures intended to minimize train/bear incidents and ensure a rapid response and removal of attractants from the railroad right of way. BNSF has implemented and continues to operate according to the GNESA protocol because the company is interested and motivated to operate the railroad in a manner that promotes good stewardship and conservation of grizzly bears in the Middle Fork Flathead River corridor. BNSF also expects to implement the HCP in close cooperation with GNESA.

#### **PROCESS INFORMATION AND SCHEDULE**

The process for developing an HCP is described in the Endangered Species Habitat Conservation Planning Handbook that was prepared by USFWS. The program is described

on the USFWS website at <http://endangered.fws.gov/hcp/index.html>. A copy of the HCP handbook is available on the internet at <http://endangered.fws.gov/hcp/index.html>.

USFWS will publish a Notice of Intent (NOI) to Prepare an EA regarding the proposed issuance of an Incidental Take Permit to BNSF on or about February 6, 2004. Publication of the NOI will initiate the public scoping period, which will extend 45 days from the effective date of the Federal Register notice. BNSF expects to complete a draft HCP and draft EA by fall, 2004, at which time BNSF and USFWS will distribute the documents for public review and schedule public meetings to receive comment on the draft HCP and EA. BNSF expects to submit completed documents to USFWS early in 2005. Thereafter, USFWS will make a decision whether to approve the application for an Incidental Take Permit.

#### **AD HOC TECHNICAL COMMITTEE**

BNSF has formed an ad hoc Technical Committee to assist with several aspects of the HCP and EA, including the compilation and analysis of information; evaluation of factors that contribute to the risk of human caused grizzly bear mortality; and, the evaluation of all reasonable strategies to reduce grizzly bear mortality risk factors. The ad hoc Technical Committee will also provide advice regarding the coordination of the HCP with other management activities in the Middle Fork Flathead River corridor and facilitate communication with the public.

The ad hoc Technical Committee is comprised of representatives from Montana Fish, Wildlife and Parks, Glacier National Park, the Northern Region U.S. Forest Service and the Blackfeet Indian Nation. As used in the HCP process, the ad hoc Technical Committee is advisory to BNSF, not advisory to USFWS. It is also important to note that agency participation in the ad hoc Technical Committee does not imply agency endorsement of the completed HCP and EA.

#### **SCOPING ISSUES**

BNSF and USFWS invite public comment for the purpose of identifying issues that are pertinent to the HCP and EA. Responses to the following would be especially helpful:

1. Please share perspectives regarding the overall scope of the project.
2. Please share perspectives regarding railroad operation and maintenance activities that may affect grizzly bears in the Middle Fork Flathead River corridor.
3. Please offer suggestions to reduce the effects of railroad operation and maintenance on grizzly bears.
4. Please share perspectives regarding other activities in the Middle Fork Flathead River corridor that may contribute to human-caused mortality of grizzly bears.
5. Please offer suggestions to reduce the risk of human-caused mortality of grizzly bears.

6. Please share specific information sources that you think would strengthen the analysis.

## **CONTACT INFORMATION**

Scoping comments are due 45 days after the NOI is published in the Federal Register. Comments may be submitted prior to and during the public scoping meetings or may be mailed to:

Tim Bodurtha  
U.S. Fish and Wildlife Service  
Ecological Services Field Office  
780 Creston Hatchery Road  
Kalispell, Montana 59901

FAX comments may be sent to (406) 758.6877

Comments may be submitted via e-mail to: [FW6\\_BNSF\\_ScopingHCP@fws.gov](mailto:FW6_BNSF_ScopingHCP@fws.gov)

Project information is available from Tim Bodurtha, U.S. Fish and Wildlife Service, Ecological Services Field Office, 780 Creston Hatchery Road, Kalispell, Montana 59901, (406) 758.6882, facsimile (406) 758.6877; or, Michael Perrodin, BNSF Environmental Operations Manager, 235 Main, Havre, Montana, 59501, (406) 265.0483, facsimile (406) 265.0356. Project information is also available on the internet at: <http://montanafieldoffice@fws.gov>